

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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JOSEPH GENTLE MOOSE BLAKE,	)	
Plaintiff,	)	
v.	)	C.A. No. 05-10508-RGS
ROBERT MURPHY, et al.,	)	
Defendants.	)	
	)	

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**ASSENTED MOTION FOR CONTINUANCE OF HEARING**

Pursuant to Local Rule 40.3(A), the plaintiff hereby moves for a continuance of the hearing on the Defendants' Motion for Summary Judgment scheduled for November 7, 2007 at 11:30 a.m., until November 19, 2007, at 11:30 a.m.

As grounds therefore, the plaintiff states that the hearing had originally been scheduled to take place on October 16, 2007. Upon the defendants' unopposed Motion, that hearing date was continued to a date to be determined by the Court. The Court set a new date of November 7, 2007, for which the plaintiff's undersigned attorney has a scheduling conflict with pre-existing obligations in an unrelated state case. Mustone v. City of Gloucester, Essex Superior Court docket no. ESCV2007-00384.

The plaintiff's attorney has conferred with the supervising attorney Brian Mansfield, Esq. of the defendants' attorney's legal office on October 22, 2007, and Attorney Mansfield has expressed his assent to this motion, and to the proposed continuance date of November 19, 2007. The plaintiff attaches a Local Rule 7.1 certificate of assent.

WHEREFORE, the plaintiff moves that this Honorable Court continue the hearing scheduled for November 7, 2007, until November 19, 2007 at 11:30 a.m.<sup>1</sup>

Plaintiff,  
JOSEPH GENTLE MOOSE BLAKE,

By his attorney,

**PIERCE, DAVIS & PERRITANO, LLP**

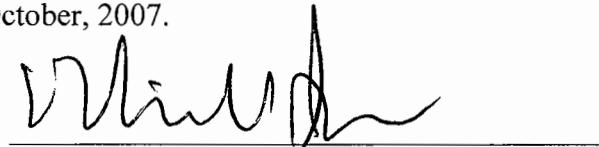


Michael D. Leedberg, BBO #660832  
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Date: October 23, 2007

**CERTIFICATE OF SERVICE**

I, Michael D. Leedberg, attorney for the plaintiff in the above-entitled action, hereby certify that I served upon counsel of record a copy of the foregoing by electronically filing with the U.S. District Court, on this 23<sup>rd</sup> day of October, 2007.



Michael D. Leedberg

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<sup>1</sup> If this motion is allowed, the plaintiff also requests that an order of habeus corpus issue so that the plaintiff can attend the newly scheduled hearing.